UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04CV12333 MEL

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_____        )
CASAS, BENJAMIN & WHITE, LLC               )
                        Plaintiff,         )
                                           )
v.                                         )
                                           )
                                           )
THE POINT GROUP, INC.,                     )
GERALD S. FREID; BARRY FREID;              )
KEY CORPORATE CAPITAL, INC.                )
                        Defendants.        )
_____        )
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AFFIDAVIT OF TODD B. GORDON

Now comes Todd B. Gordon, upon his oath, and makes the following affidavit:

1.   I am a member of the Bar of this Court and an associate in the law firm of Gordon Haley LLP.

2.   Gordon Haley LLP represents Defendants, The Pointe Group, Inc., Gerald S. Freid and Barry Freid in the above-captioned case.

3.   On February 3, 2005, I traveled to the offices of McCullough, Stievater & Polvere located at 121 Main Street, Charlestown, Massachusetts. Attorney McCullough was the closing attorney for the sale of certain Health Care Entities, the sale of which gave rise to this case. The purpose of my visit was to search Attorney McCullough's files for any and all documents responsive to CBW's First Request for Production of Documents to The Pointe Group, Inc.

4.   I spent nearly all of February 3, 2005 conducting a thorough search for documents responsive to CBW's First Request for Production of Documents to The Pointe Group, Inc. My search was productive and I left Attorney McCullough's office with thousands of pages of

documents which were subsequently produced to CBW in response to its First Request for Production of Documents to The Pointe Group, Inc.

5.   The documents sought by CBW in its deposition subpoena to Attorney McCullough are word for word duplicative of the documents sought by CBW in its First Request for Production of Documents to The Pointe Group, Inc., and therefore, the documents which CBW now seeks to compel the production of from Attorney McCullough, by way of its deposition subpoena, have already been produced to CBW. I also gave instructions to Attorney McCullough's office to immediately forward me any additional documents that they locate that are responsive to CBW's First Request for Production of Documents.

Further Affiant sayeth not.

Signed under the pains and penalties of perjury this 1st day of July, 2005.

Todd B. Gordon

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